IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 376 of 2006 (M/B)

1. Smt. Kusum
   w/o Shri Vimal Dhanshala,
   r/o Surya Nagar, Nazeebabad Road,
   Kotdwar,
   District Pauri Garhwal
2. Sunil Chndra Jakhmola,
   s/o Shri Chandradhar Jakhmola,
   R/o 3, Type II, Kendriya Vidyalaya,
   Muzaffar Nagar. ……. Petitioners

Versus

1. State of Uttaranchal,
   through Secretary (Home),
   Civil Secretariat,
   Uttaranchal, Dehradun.
2. Station House Officer,
   Police Station Dalanwala,
   District Dehradun
3. Smt. Rachna Juyal,
   D/o Shri Chandra Shekhar Mundepi,
   R/o Umesh Nagar, Kashi Rampur Road,
   Kotdwar, District Pauri Garhwal ……. Respondents

…….

Sri Kishore Kumar, Advocate for the petitioners.
Sri. H.C. Pande, Addl. Government Advocate for the respondents 1 and 2
None for respondent no. 3.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.

RAJEEV GUPTA, C. J. (Oral)

Sri Kishore Kumar, Advocate for the petitioners.

Sri. H.C. Pande, Addl. Govt. Advocate for the respondents 1 and 2

None for respondent no. 3.

2. Sri Pande, the learned Additional Government Advocate submits that the writ petition filed by petitioners Smt. Kusum and Sunil Chandra Jakhmola seeking quashing of the First Information Report and

the case registered against them now has become infructuous as the police after the completion of the investigation though did not find any case worth filing charge-sheet against petitioners Smt. Kusum and Sunil Chandra Jakhmola, but charge-sheet has been filed against the petitioners' co-accused Rajesh before the concerning Court.

3. In this view of the matter, the writ petition is dismissed as infructuous.

4. Consequently, the interim order dated 04.04.2006 stands vacated automatically.

(Prafulla C. Pant, J.) **(Rajeev Gupta, C. J.)**
05.07.2006 05.07.2006

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